

1 KRISTA J. NIELSON, ESQ.
2 Nevada Bar No. 10698
3 **TIFFANY & BOSCO, P.A.**
4 10100 W. Charleston Blvd., Ste. 220
5 Las Vegas, Nevada 89135
6 (702) 258-8200
*Attorney for Defendant, Wilmington Savings Fund Society,
FSB not in its individual capacity, but solely as Owner Trustee
of CSMC 2019-RPL11 Trust and Wells Fargo Bank, N.A.*

7 TB# 19-75936

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 DEMETRIOS A. DALACAS; ELENE
14 MYLORDOS; WILMINGTON SAVINGS
15 FUND SOCIETY, FSB NOT IN ITS
16 INDIVIDUAL CAPACITY, BUT SOLELY AS
17 OWNER TRUSTEE OF CSMC 2019-RPL11
18 TRUST; REPUBLIC SILVER STATE
19 DISPOSAL, INC.; R & K DEVELOPMENT,
INC.; COPPER CREEK CONSTRUCTION,
INC.; LAS VEGAS VALLEY WATER
DISTRICT; CITY OF LAS VEGAS, NEVADA;
and CLARK COUNTY, NEVADA,

21 Defendants.

Case No.: 2:19-cv-01937-JCM-VCF

22 **STIPULATION AND ORDER TO DISMISS
WILMINGTON SAVINGS FUND
SOCIETY, FSB NOT IN ITS INDIVIDUAL
CAPACITY, BUT SOLELY AS OWNER
TRUSTEE OF CSMC 2019-RPL11 TRUST**

23 Plaintiff, UNITED STATES OF AMERICA (“Plaintiff”), and Defendant, WILMINGTON
24 SAVINGS FUND SOCIETY, FSB NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS
25 OWNER TRUSTEE OF CSMC 2019-RPL11 TRUST (“Wilmington”), by and through their
26 undersigned and respective counsel of record, hereby stipulate and agree as follows:

27 1. Wilmington previously claimed an interest in real property located at 10157 Queens
28 Church Avenue, Las Vegas, Nevada 89135; APN: 164-12-717-004 (“Subject Property”), pursuant to a

1 Deed of Trust recorded on September 4, 2003, in the Official Records of Clark County, Nevada as
2 Instrument No. 200309040001349 (“Wilmington Deed of Trust”).

3 2. Wilmington acquired its interest in said Deed of Trust pursuant to an Assignment of
4 Deed of Trust recorded on April 16, 2020, in the Official Records of Clark County, Nevada as
5 Instrument No. 20200416-0000267.

6 3. On November 30, 2020, this Court ordered that Wilmington be substituted as the real
7 party in interest in this matter in place of Wells Fargo Bank, N.A. *See* ECF No. 46.

8 4. On December 7, 2020, this Court entered an order granting Plaintiff and Wilmington’s
9 Stipulation as to priority, ordering that the Wilmington Deed of Trust had priority over Plaintiff’s tax
10 liens on the Subject Property. *See* ECF No. 51.

11 5. Subsequently, Plaintiff sold the Subject Property pursuant to this Court’s December 30,
12 2020, order, which, as a result, paid off the loan secured by the Wilmington Deed of Trust. *See* ECF
13 No. 58.

14 6. On March 17, 2021, Plaintiff filed a Second Amended Complaint that named
15 Wilmington as a Defendant. *See* ECF No. 60.

16 7. Thereafter, on April 13, 2021, Wilmington recorded a Full Reconveyance for the
17 Wilmington Deed of Trust, in the Official Records of the Clark County Recorder as Instrument No.
18 20210413-0002139 (“Reconveyance”).

19 **IT IS HEREBY STIPULATED AND AGREED** that, as the Wilmington Deed of Trust no
20 longer encumbers the Subject Property following the Reconveyance, Wilmington is hereby dismissed
21 from this action, with prejudice.

22 /././

23 /././

24 /././

25 /././

26 /././

27 /././

28 /././

1 **IT IS FURTHER STIPULATED AND AGREED** that each party shall bear its own fees
2 and costs.

3 DATED this 29th day of April, 2021.

4 TIFFANY & BOSCO, P.A.

5
6 /s/ Krista J. Nielson, Esq.
7 Krista J. Nielson, Esq.
8 10100 W. Charleston Blvd., Suite 220
9 Las Vegas, Nevada 89135
10 *Attorneys for Defendant*

DATED this 29th day of April, 2021.

RICHARD E. ZUCKERMAN

Principal Deputy Assistant Attorney General

/s/ Isaac Hoenig, Esq.
Boris Kukso, Esq.
Isaac Hoenig, Esq.
P.O. Box 683, Ben Franklin Station
Washington, D.C. 20044
Attorneys for Plaintiff

11
12 **IT IS SO ORDERED.**

13 
14 UNITED STATES DISTRICT COURT JUDGE

15 May 5, 2021

16 DATED: _____

21
22
23
24
25
26
27
28